

**Functional Series 400
Personnel**

INTERIM UPDATE 04-09

SUBJECT: Pay and Leave Procedures for Two Holidays-- Martin Luther King, Jr.'s Birthday and Inauguration Day, 2005

NEW MATERIAL: There are two Federal holidays--Martin Luther King, Jr.'s Birthday, on Monday, January 17, 2005, and Inauguration Day, on Thursday, January 20, 2005—which both fall within the same pay period, Pay Period 1, which begins on January 9, 2005, and ends on January 22, 2005. The U.S. Office of Personnel Management has provided Federal agencies with pay and leave procedures for these two holidays.

EFFECTIVE DATE: 12/29/2004

POLICY

USAID/General Notice
M/HR/PPIM
12/29/2004

Subject: Pay and Leave Procedures for Two Holidays--Martin Luther King, Jr.'s Birthday and Inauguration Day, 2005

Note that this guidance supersedes the Notice issued on December 27, 2004, "Pay and Leave Procedures for Two Holidays-Martin Luther King, Jr.'s Birthday and Inauguration Day, 2005."

Two Federal holidays--Martin Luther King, Jr.'s Birthday, on Monday, January 17, 2005, and Inauguration Day, on Thursday, January 20, 2005--both fall within the same pay period, Pay Period 1, which begins on January 9, 2005, and ends on January 22, 2005. The U.S. Office of Personnel Management has provided Federal agencies with pay and leave procedures for these two holidays as follows:

1. Pay and Leave Rules for Martin Luther King, Jr.'s Birthday

The Birthday of Martin Luther King, Jr. is a legal public holiday for pay and leave purposes for Federal employees. Full-time and part-time employees are entitled to the same pay they otherwise would receive on a regular workday. Those who are regularly scheduled to work on January 17, 2005, are entitled to time off with pay, and those who must work that day are entitled to holiday premium pay, if otherwise eligible for premium pay. Employees who are not regularly scheduled to work on January 17, 2005, are entitled to a day off in lieu of the holiday.

Employees must be in a pay status or a paid time off status (i.e., leave or compensatory time off) on their scheduled workdays either before or after Martin Luther King, Jr.'s Birthday in order to be entitled to pay for that day if they do not work.

2. Pay and Leave Rules for Inauguration Day

Inauguration Day is a legal holiday for pay and leave purposes for Federal employees in the Washington, D.C., metropolitan area only. Holiday pay and leave procedures do not apply to an employee who is on official duty or travel status away from the D.C. area, even if his or her permanent duty station is in the D.C. area, based on long-standing Comptroller General rulings. Full-time and part-time employees are entitled to the same pay they otherwise would receive on a regular workday. Those who are regularly scheduled to work on January 20, 2005, are entitled to time off with pay, and those who must work that day are entitled to holiday premium pay, if otherwise eligible to receive premium pay. Employees who are not regularly scheduled to work on January 20, 2005, are not entitled to a day off in lieu of the holiday.

Employees must be in a pay status or a paid time off status (i.e., leave or compensatory time off) on their scheduled workdays either before or after Inauguration Day in order to be entitled to pay for that day if they do not work.

3. Employees on Alternative Work Schedules

Since Martin Luther King, Jr.'s Birthday and Inauguration Day both fall within the same pay period, the holidays will affect employees who are on alternative work schedules in the Washington, D. C., metropolitan area. A full-time employee on a flexible work schedule is entitled to 8 hours of pay for each holiday when he or she does not work. However, a full-time employee on a 5/4-9 flexible schedule must make arrangements to work an extra hour during another regularly scheduled workday (or take annual leave, leave without pay, or use earned compensatory time off, etc.) in order to fulfill the 80-hour biweekly work requirement.

4. Procedures for Employees Under the Flexible 5/4-9 Work Schedule

Employees under the Flexible 5/4-9 work schedule may elect to convert back to the standard 8-hour day or remain under their current Flexible 5/4-9 work schedules for the duration of Pay Period 1. For those employees who elect to remain under the Flexible 5/4-9 work schedule, the net effect of receiving eight hours of pay for each holiday is that the employee will have to make arrangements to work an extra hour to fulfill the 80-hour biweekly work requirement. Employees can accomplish this by working an additional hour on one of their workdays within the pay period, taking an hour of annual leave, leave without pay, or using earned compensatory time off.

Employees remaining under the Flexible 5/4-9 work schedule will: (1) observe the January 17th and January 20th holidays and receive 8 hours of pay for each holiday (16 XA total); (2) have a day off, and (3) account for 64 hours of regular duty (RD) by working six 9 hour days and one 10 hour day; or using leave, leave without pay, or earned compensatory time off.

For those employees who have a regular day off (RDO) occurring on Monday, January 17, 2005, they will substitute their 8-hour workday for that holiday and reschedule their day off within the pay period. For those employees who have a regular day off (RDO) occurring on Thursday, January 20, 2005, they are not entitled to a day off in lieu of the holiday. However, Agency policy permits employees to request a temporary change in their RDO in advance of the workweek in which their day off occurs subject to supervisory approval. Employees whose RDO falls on Thursday, January 20, 2005, may request to take another day off in the pay period, if approved by their supervisor.

Employees are instructed to complete AID Form 400-9, Time and Attendance Supporting Documentation, to show how they will fulfill their 80-hour biweekly work requirement for the pay period. This form is available as an Agency macro. Employees must submit their completed form to their timekeeper no later than Friday, January 7, 2005.

This notice also applies to U. S. Personal Services Contractors. Institutional contractors are subject to the policies of their employers.

This notice will be posted on the "Leave Administration" webpage of the Office of Human Resources (M/HR) website.

Point of Contact: Any questions concerning this Notice may be directed to Joann Jones, M/HR/PPIM, (202) 712-5048.

Notice 1296

File Name	Notice Date	Effective Date	Editorial Revision Date	ADS CD No.	Remarks
IU4_0409_010505_cd38	12/29/2004	12/29/2004		CD 38	This IU will be placed on CD 38.

iu4-0409_010505_w011005_cd38